REMARKS / ARGUMENTS

The above-referenced patent application has been reviewed in light of the Office

Action. Reconsideration of the above-referenced patent application in view of the

following remarks is respectfully requested.

In the Claims:

Claims 1 and 2-20 are pending in this application.

Claim 1, 14 and 18 are currently amended.

The amendment is fully supported by the original disclosure. No new matter has

been introduced.

Claim Rejections – 35 U.S.C. § 112

Claim 18 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to

comply with the enablement requirement. (See 1/16/09 Office Action, p. 2).

In response, Applicant has amended claim 18 to more closely reflect the

language of the specification at page 6, ll. 2-7, reciting:

> It should be appreciated that the present invention can be
> implemented in numerous ways, including as a process, an
> apparatus, a system, or a computer readable medium such as a
> computer readable storage medium or a computer network wherein
> program instructions are sent over optical or electronic
> communication links. It should be noted that the order of the steps
> of disclosed processes may be altered within the scope of the
> invention.

Additionally, Applicant notes that the substance of such program instructions are

detailed in the specification. As one example, please see the portion of the specification

that corresponds with Figure 3b, which illustrates the ingress and egress flow of data through the processing engines.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1 and 3-18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 5,905,873 to Hartmann et al. (hereinafter "Hartmann") in view of U.S. Patent 6,463,477 to Fontenot (hereinafter "Fontenot"). (See 1/16/09 Office Action, pp. 2-7).

Claim 1, as presently amended, recites:

> A method of processing a packet comprising:
> receiving the packet;
> translating the packet from a first protocol-specific format to a canonical packet format comprising a fixed length generic packet format that can represent multiple-specific formats, but is different than any one protocol-specific format;
> translating the packet from the canonical packet format to a second protocol-specific format; and
> forwarding the packet.

In relevant part, claim 1 presently recites "*translating the packet from a first protocol-specific format to a canonical packet format comprising a fixed length generic packet format that can represent multiple-specific formats, but is different than any one protocol-specific format*". The Examiner notes that the generic format of Hartmann does not disclose a canonical packet format, which comprises "*a fixed length generic packet format that can represent multiple-specific formats, but is not the same as any one protocol-specific format*", as claimed. (See 1/16/09 Office Action, p. 4.) The Examiner proposes a combination with Fontenot to cure this failure. However, Applicant submits that Fontenot is silent with regard to generic formats and/or canonical formats. (See Fontenot, passim.) Instead, Fontenot discusses multiprotocol encapsulation. (See

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Fontenot, passim.) Applicant submits that the proposed combination with Fontenot does not suggest any modification to Hartmann. Specifically, Hartmann already discusses the possibility of embedding of a second packet format as the payload in a first packet format, as follow:

> In many instances, a second packet format is embedded or comprised as the payload in a first packet format. For example, a TCP/IP packet is commonly comprised as the payload in an Ethernet packet. In the preferred embodiment, when a second packet format is embedded or comprised as the payload in a first packet format, the packet conversion logic 402 operates to convert the exterior or first packet format to/from the generic packet format, and leave the interior or second packet format unchanged as the payload of the newly created generic packet. Alternatively, the packet conversion logic 402 operates to convert both the exterior or first packet format and the interior or second packet format to/from the generic packet format.

(See Hartmann, col. 14, ll.11-23.) Similarly, Fontenot discusses a similar process, except without the use of an intermediate translation to a generic packet format, as follows:

> For example, in the FR to ATM direction when multiprotocol encapsulation is detected, the FR/ATM Service IWF module 130 operates in Translation Mode to translate the encapsulation type from Frame Relay RFC 1490, FRF.3 or FRF.3.1 multiprotocol encapsulation to ATM RFC 1483 multiprotocol encapsulation. If multiprotocol encapsulation is not detected, then the FR/ATM service interworking function module 130 will operate in Transparent mode to de-encapsulate an FR PDU and directly encapsulate an FR payload into an ATM AAL5 PDU. In the ATM to FR direction, when multiprotocol encapsulation is detected, the FR/ATM Service IWF module 130 operates in Translation Mode to translate the encapsulation type from ATM RFC 1483 multiprotocol encapsulation to Frame Relay RFC 1490, FRF.3 or FRF.3.1 multiprotocol encapsulation. If multiprotocol encapsulation is not detected, then the FR/ATM service interworking function module 130 will operate in Transparent mode to de-encapsulate the ATM AAL5 PDU payload and directly encapsulate the payload into a FR PDU.

(See Fontenot, col. 10, ll.1-20.) Even considering the possibility of embedding of a second packet format as the payload in a first packet format, Hartmann does not disclose a canonical packet format, which comprises *"a fixed length generic packet format"*, as claimed (See 1/16/09 Office Action, p. 4). Instead, Hartmann appears to discuss accommodating multiple formats via the source address field having a variable length, the destination address field having a variable length, and the control field having variable length, with or without a second packet format embedded as the payload in a first packet format. (See Hartmann, col. 14, ll.25-49 and Fig. 10.) Therefore, the Applicants respectfully submit that Hartmann and Fontenot, alone or in combination, neither disclose nor suggest *"translating the packet from a first protocol-specific format to a canonical packet format comprising a fixed length generic packet format that can represent multiple-specific formats, but is different than any one protocol-specific format"*, as recited in claim 1.

Accordingly, for the foregoing reasons, it is respectfully submitted that the rejection of claim 1 should be withdrawn. Because claims 2-13, 17, 19 and 20 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

Likewise, claims 14-16 and 18 recite similar limitations as compared to claim 1, and are also allowable for the reasons discussed above with reference to claim 1.

Additionally, the Examiner has not explicitly rejected claims 19 and 20. Applicant has previously asserted that these claims are not obvious in view of Hartmann, and the Examiner has not provided any reasoning why Hartmann, alone or in combination with Fontenot render these claims as obvious.

It is noted that claimed subject matter may be patentably distinguished from the applied documents for additional reasons; however, the foregoing is believed to be sufficient. Likewise, it is noted that the Applicant's failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

Conclusion:

Applicant respectfully submits that the pending claims are patentable, and accordingly, the application is now in condition for allowance. Early issuance of the Notice of Allowance is respectfully requested.

Any fees or extensions of time believed to be due in connection with this amendment are enclosed herein. However, please consider this a request for any extension.

The Examiner is invited to call James Lynch at (515) 778-1633 if there remains any issue with allowance of this case.

Respectfully submitted,

Dated: <u>February 11, 2010</u>   /James J. Lynch Reg. No. 50,153/
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